

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CIVIL TRIAL MINUTES

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| Date: 2/06/2018 | Time: 5 Hrs; 17 Min. | Judge: WILLIAM ALSUP |
| Case No.: 17-cv-00939-WHA | Case Name: Waymo LLC v. Uber Technologies, Inc. | |
| Deputy Clerk: Angella Meuleman | Court Reporter: Katherine Sullivan / Debra Pas | |

Attorney for Plaintiff: Charles Verhoeven, Melissa Baily, Duane Lyons, David Eiseman, Andrea Roberts, David Perlson, James Judah, Jordan Jaffe, Jared Newton

Also Present: Demarren Berkeley, Corporate Representative

Attorney for Defendant: Arturo Gonzales, Bill Carmody, Esther Chang, Michael Jacobs, Karen Dunn, Thomas Pardini, Wendy Ray, Martha Goodman, Meredith Dearborn, Joseph Grinstein, Michael Brille, Matthew Berry, Shawn Rabin

Special Master: John Cooper

Also Present: Demarron Berkeley, Waymo Representative; Eric Meyhofer, Uber Representative; Tony West, Uber Corporate Counsel

PROCEEDINGS

REASON FOR HEARING: Jury Trial - HELD

RESULT OF HEARING: See Attached Log

Witnesses: Dmitri Dolgov, Gary Thomas Brown, William Grossman, Travis Kalanick.

Admitted Exhibits: 1049, 1248, 1136, 4879, 4850, 4840, 4852, 4881, 4846, 4842, 2260, 5031, 2241, 2232, 2211, 2242, 2215, 4835, 170, 171, 367, 433, 459, 662, 663, 668, 674, 678, 682, 8002, 4174, 262, 113, 332, 333, 346, 770, 803, 1088, 1096, 1353, 1895, 1991, 2116, 3239, 3564, 3574.

CONTINUED TO: February 7, 2018 at 7:30 am for Further Jury Trial.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

[17-cv-00939-WHA](#)

Waymo LLC v. Uber Technologies, Inc.

TRIAL LOG

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| JUDGE: | PLAINTIFF ATTORNEY: | DEFENSE ATTORNEY: |
| William Alsup | Charles Verhoeven, Melissa Bailey, Duane Lyons, David Eiseman, Andrea Roberts, David Perlson, James Judah, Jordan Jaffe. | Arturo Gonzales, Bill Carmody, Michael Jacobs, Esther Chang, Thomas Pardini, Wendy Ray, Martha Goodman, Karen Dunn, Joseph Grinstein, Michael Brille, Matthew Berry, Shawn Rabin. |
| Special Master: John Cooper | | |
| | | |
| TRIAL DATE: | REPORTERS: | CLERK: |
| February 6, 2018 | Katherine Sullivan / Debra Pas | Angella Meuleman |

| PLF NO. | DEF NO | DATE/TIME OFFERED | ID | EVL. REC | DESCRIPTION | BY |
|---------|--------|-------------------|----|----------|--|----|
| | | 7:30 a.m. | | | Court in session. Preliminary matters discussed. | |
| | | 8:02 a.m. | | | Jurors present. Witness, Dmitri Dolgov , approaches the witness stand and direct examination continues by Jordan Jaffe. | |
| | | 8:13 a.m. | | | Cross-examination of witness by Arturo Gonzales. | |
| 1049 | | | X | X | U.S. Patent of Google, Inc. | |
| 1248 | | | X | X | Email chain dated 8/18/2016 from Dmitri Dolgov. | |
| 1136 | | | X | X | Page 10 (disclosed only to the jury) | |
| | | 8:41 a.m. | | | Re-direct examination of witness by Jordan Jaffe. | |
| | | 8:46 a.m. | | | Re-cross examination of witness by Arturo Gonzales. | |
| | | 8:47 a.m. | | | Public session closed. | |
| | | 8:49 a.m. | | | Sealed session begins. | |
| | | 8:49 a.m. | | | Sealed session concluded. | |
| | | 9:10 a.m. | | | Court in recess. | |

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| | | 9:25 a.m. | | | Court reconvened. Jury present. The Court instructs the jury regarding patents versus trade secrets. | |
| | | 9:37 a.m. | | | Witness, Gary Thomas Brown , approaches the witness stand and sworn for testimony. Direct examination by Duane Lyons. | |
| 4879 | | | X | X | Disk - Log Files | |
| 4850 | | | X | X | Disk - Log Files | |
| 4840 | | | X | X | Armada Host View | |
| 4852 | | | X | X | Disk - Log Files | |
| 4881 | | | X | X | SVN Files Downloaded by Levandowski - Disk | |
| 4846 | | | X | X | Disk - Log Files | |
| 4842 | | | X | X | Screenshot | |
| 2260 | | | X | X | Machine Forensic Record | |
| 5031 | | | X | X | Disk - GBr3 Design Review Presentation Downloads | |
| | | 10:00 a.m. | | | Cross-examination of witness by Arturo Gonzales. | |
| | 2241 | | X | X | Email chain dated 2/8/2016 to Chelsea Bailey | |
| | 2232 | | X | X | Mater Meeting Notes | |
| | 2211 | | X | X | Email chain dated 8/23/2016 from Kevin Vosen to Michael Pfyl. | |
| | 2242 | | X | X | Email chain dated 9/13/2016 from Thomas Gorman. | |
| | 2215 | | X | X | Email chain dated 10/7/2016 from Kristinn Gudjonsson to Thomas Gorman. | |
| | | 10:27 a.m. | | | Re-direct examination of witness by Duane Lyons. | |
| | | 10:33 a.m. | | | Witness excused. | |
| | | 10:34 a.m. | | | Witness, William Grossman , approaches the witness stand and is sworn for testimony. Direct examination of witness by David Perlman. | |
| 4835 | | | X | X | Email chain dated 12/13/2016 from Eri Suzuki to Elvia Guitierrez. | |
| | | 10:56 a.m. | | | Re-cross examination of witness by Arturo Gonzales. | |
| | | 10:58 a.m. | | | Re-direct examination of witness by David Perlman. Witness excused. Jury excused. | |

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| | | 10:58 a.m. | | | Housekeeping matters discussed outside the presence of the jury. | |
| | | 11:08 a.m. | | | Court in recess. | |
| | | 11:20 a.m. | | | Court reconvened. Jury present. Witness, John Bares , by way of video deposition. | |
| | | 11:20 a.m. | | | Video deposition testimony of John Bares. | |
| | | 12:06 p.m. | | | Video deposition concludes. | |
| See Desc. | | | | | The following exhibits attached to the video deposition of John Bares are marked and admitted: 170, 171, 367, 433, 459, 662, 663, 668, 674, 678, 682. | |
| | | 12:06 p.m. | | | The Court explains various corporate names to the jury. | |
| | | 12:12 p.m. | | | Witness, Travis Kalanick , approaches the witness stand and sworn for testimony. Direct testimony by Charles Verhoeven. | |
| 291 | | | X | | Transcript of news article. | |
| 387 | | | X | X | Email dated 8/16/2016 from Travis Kalanick to Rachel Whetstone. | |
| | | 12:24 p.m. | | | Video Deposition excerpts of Travis Kalanick. | |
| 8002 | | | X | X | Uber badge of Anthony Levandowski. | |
| 4174 | | | X | X | Notes of meeting. | |
| 262 | | | X | X | Email from Jeff Holden. | |
| | | | | | Video deposition transcript excerpts of Travis Kalanick dated 10/2/2017. | |
| 113 | | | X | X | Email chain dated 1/9/2016 from Travis Kalanick to Jeff Holden. | |
| | | 1:02 p.m. | | | Witness excused for the day. Jury admonished and excused. Housekeeping matters discussed outside the presence of the parties. | |
| See Desc. | | | | | Following exhibits are agreed to by the parties: The Court admits into evidence the following exhibits: 332, 333, 346, 770, 803, 1088, 1089, 1096, 1353, 1895, 1991, 2116, 3239, 3564, 3574. | |
| | | | | | The Court stated the parties need to submit a disk with only the excerpts of video deposition testimony. | |

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| | | 1:12 p.m. | | | Court in recess. Parties are to return tomorrow, 2/7/2018, at 7:30 a.m. for Further Jury Trial before Judge William Alsup, Courtroom 12, 19th Floor. | |
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